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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,756	12/21/2000	Outi Aho	442-010045-US(PAR)	1079
2512	7590	06/23/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			DAVIS, TEMICA M.	
			ART UNIT	PAPER NUMBER
			2681	
			DATE MAILED: 06/23/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,756

Applicant(s)

AHO, OUTI

Examiner

Temica M. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

"Figure 2" should be deleted from the abstract page. Appropriate correction is required.

Claim Objections

2. Claims 1 and 5 are objected to because of the following informalities: In claim 1, line 8 "termina" should be --terminal--. In claim 5, the subject matter in parenthesis is

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misleading, in that the subject matter may or may not have to be examined. In the rejection below, the subject matter in parenthesis is being understood as an optional requirement. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Turunen WO 99/61966.

Regarding claims 1, 17, 19 and 20, Turunen discloses a method/network element/computer program/system for inquiring about information relating to a wireless terminal of a cellular network, from the cellular network from a messaging server external to the cellular network, wherein the method comprises; sending an inquiry from the messaging server to the cellular network to determine said information relating to the terminal, the inquiry comprising a first identifier for identifying said terminal, the first identifier being a specific identifier external to the cellular network (page 7, lines 2-4); mapping said first identifier to a specific second identifier in the cellular network, the second identifier being an internal identifier of the cellular network (page 7, lines 4-8);

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determining said information relating to the terminal with the aid of said second identifier (page 7, lines 8-17); sending a response message in response to said inquiry from the cellular network to said messaging server external to the cellular network, in which response message the information relating to said terminal is indicated with the aid of said first identifier (page 7, lines 11-14).

Regarding claim 2, Turunen discloses a method according to claim 1, wherein said inquiry is made in response to a message addressed to the terminal arriving at the messaging server (page 6, lines 22-27).

Regarding claim 3, Turunen discloses a method according to claim 2, wherein said message is a multimedia message (page 7, lines 31-35).

Regarding claim 4, Turunen discloses a method according to claim 1, wherein the transmission of data in the method is performed in a packet switched mode (page 7, lines 12-20).

Regarding claim 5, Turunen discloses a method according to claim 2, wherein the method comprises: mapping an address associated with the message addressed to the terminal to said first identifier of the terminal in the messaging server (page 7, lines 4-8, page 11, lines 3-23).

Regarding claim 6, Turunen discloses a method according to claim 1, wherein said second identifier is one of the following: an IMSI (International Mobile Subscriber Identity) code, an IMUI (international Mobile User Identity) code (page 13, lines 13-19).

Regarding claim 7, Turunen discloses a method according to claim 1, wherein said inquiry is sent to a specific network element of the cellular network and that said

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network element determines said information relating to the terminal (MS) using said second identifier (page 7, lines 2-14).

Regarding claim 8, Turunen discloses a method according to claim 7, wherein said network element is a gateway GPRS support node and that the inquiry is always sent from the messaging server to the same gateway GPRS support node (page 5, lines 20-35).

Regarding claim 9, Turunen discloses a method according to claim 2, wherein said network element is a gateway GPRS support node, and said messaging server receives said response message, in which said information relating to the terminal, is indicated, and that said information is one of the following- the readiness of the terminal to receive data, the terminal being attached to the network (page 5, lines 20-35, page 7, lines 8-17).

Regarding claim 10, Turunen discloses a method according to claim 9, wherein said information relating to the terminal is the readiness of the terminal to receive data, whereupon said response message indicates whether said terminal has an active PDP-context (Packet Data Protocol) with a gateway GPRS support node, wherein: in a situation, where the terminal has an active PDP-context with a gateway GPRS support node, said message is sent from the messaging server to the terminal in response to the receipt of said response message and in a situation, where the terminal does not have an active PDP-context with any gateway GPRS support node said message is not sent to the terminal (page 17, line 24-page 18, line 20).

Regarding claim 11, Turunen discloses a method according to claim 10, wherein in a situation, where the terminal does not have an active PDP-context with any gateway GPRS support node, said inquiry is repeated after a specific period of time (page 7, lines 17-19).

Regarding claim 12, Turunen discloses a method according to claim 1, wherein said first identifier comprises: a first part that indicates a messaging service subscriber; a second part that indicates the messaging server in question; and a third part that can be determined on the basis of said first and second parts for the purpose of security (page 7, lines 2-14, page 12, lines 25-35).

Regarding claims 13 and 16, Turunen discloses a server external to a cellular network for inquiring about specific information, relating to a terminal of the cellular network from the cellular network with an inherent computer program product, wherein the server comprises: means for defining a specific first identifier external to the cellular network for identifying said terminal; means for sending an inquiry from the server to the cellular network to determine said information relating to the terminal, the inquiry comprising said first identifier (page 7, lines 2-17).

Regarding claim 14, Turunen discloses a server according to claim 13, wherein it comprises ; means for receiving a response message sent from the cellular network to said server external to the cellular network in response to said inquiry the response message comprising the information relating to said terminal, indicated with the aid of said first identifier (page 7, lines 11-14).

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Regarding claim 15, Turunen discloses a server according to claim 13, wherein the server is arranged to send said inquiry in response to a message addressed to the terminal arriving at the server; and that the server comprises: means for mapping the address, associated with the message addressed to the terminal, to said first identifier of the terminal (page 7, lines 4-8).

Regarding claim 18, Turunen discloses a network element according to claim 17, wherein said network element is a gateway support node of the cellular network (page 5, lines 20-35).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached Monday-Friday (alternate Fridays) from 9:00am-3:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Temica M. Davis
Examiner
Art Unit 2681

June 12, 2004


TEMICA M. DAVIS
PATENT EXAMINER